

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

**UNITED STATES LIFE INSURANCE
COMPANY OF AMERICA IN THE
CITY OF NEW YORK,**

Plaintiff,

V.

RONNIE JAMES HERRING, M.D.,

Defendant.

CASE NO. 3:07-cv-1071-WKW

BRIEFING ORDER

Upon consideration of Plaintiff's Motion to Dismiss Defendant's Counterclaims (Doc. # 13) filed on January 17, 2008, it is ORDERED that the motion be submitted without oral argument on **February 25, 2008.**

It is further ORDERED that plaintiff file a response which shall include a brief **on or before February 8, 2008**. The Defendants may file a reply brief **on or before February 25, 2008**.

All future motions to remand, motions to dismiss, motions for judgment on the pleadings, and motions for summary judgment filed in this case, it is ORDERED that:

1. The movant shall file its brief and any evidentiary submission simultaneously with the filing of the dispositive motion.
2. The opponent's **response brief** and any evidentiary submission shall be **due 21 days after the date the motion is filed.**
3. The movant's **reply brief**, if any, shall be **due 14 days after the date the response is filed.**

4. The motion shall be under submission on the due date of the reply brief. Unless the court determines that a hearing is necessary or helpful, at which time a date will be set, the court will determine the motion without oral argument upon submission.

5. Briefs in support of or in opposition to any motion generally **should not exceed 25 pages**. In all cases in which briefs exceed 25 pages, counsel must include a table of contents indicating the main sections of the brief, the principal arguments and citations to authority made in each section, and the pages on which each section and any sub-sections may be found.

6. The parties are required to submit or mail a paper courtesy copy of briefs and supporting evidence to the Chambers of the undersigned.

7. For those submissions (including briefs and evidentiary materials) that exceed 25 pages, the paper courtesy copy shall be **bound in a three-ring binder and tabbed**.

8. Any discussion of evidence in a brief must include the specific reference, by name or document number and by page and line, to where the evidence can be found in the supporting evidentiary submission or in any document filed with the court.

9. Failure to comply strictly with this Order for all future filings may result in the striking of the filing or other appropriate sanctions.

DONE this 18th day of January, 2008.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE